In the High Court of Uttaranchal at Nainital.

A.O. 658/2001
(Old No. 274/1988)

Smt. Khazani Devi widow
of Laxman Singh,
R/o village Maldevla, P.O. Komalda,
District Dehradun .....Appellant.

Vs.

State of U.P.

Dated: 21-08-2004

Hon'ble Rajesh Tandon, J.

The appeal has been received on transfer from Allahabad High Court. None appears for the appellant. Heard Sri ramesh Chandra Arya, learned Standing Counsel for the respondent, and perused the record.

From a perusal of impugned order it appears that the District Judge, Tehri Garhwal, had refused the amendment on the ground that the amendment sought related to the territorial jurisdiction of the District Judge, Dehradun and as such an amendment can not be allowed and the injunction had also been refused. No appeal is maintainable against the said order. The order being interlocutory one, the same can be challenged against the final order.

In view of above the appeal is dismissed.

(Rajesh Tandon, J.)

ISB